

Message Text

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53

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E.O. 11652: N/A

TAGS: PINT, U.K. (N.I.I.)

SUBJECT: APPEARANCE OF DISCUSSION PAPER ON FORMS GOVERNMENT

1. POSSIBLE APPROACHES FOR FUTURE GOVERNMENT OF NORTHERN IRELAND, WHICH FORTHCOMING CONSTITUTIONAL CONVENTION MAY CONSIDER, LAID OUT IN DISCUSSION PAPER ENTITLED GOVERNMENT OF NORTHERN IRELAND: A SOCIETY DIVIDED, PUBLISHED ON FEB. 5, 1975. SUMMARY FOLLOWS: IN THE FOREWORD SECRETARY STATE NORTHERN IRELAND SAID "NO COMMUNITY CAN SURVIVE, LET ALONE PROGRESS AND FLOURISH, UNLESS THE SYSTEM OF GOVERNMENT COMMANDS WIDESPREAD ACCEPTANCE ON A CONTINUING BASIS." FIRST PART OF PAPER ENTITLED "DEMOCRATIC GOVERNMENT SHARED RESPONSIBILITY" DESCRIBES MEANS BY WHICH DEMOCRACIES DEVELOP THEIR INSTITUTIONS AND GOVERNMENT, BOTH REGIONAL AND NATIONAL, TO SUIT OWN NEEDS, BUT UNDERLINES FACT THAT UNLIKE REST OF UNITED KINGDOM POPULATION NORTHERN IRELAND DIVIDED INTO TWO DISTINCTIVE COMMUNITIES. DIVISION PERMEATES CONFLICT OF PARTIES AND FIXES RELATIONSHIP BETWEEN MAJORITY AND MINORITY. EXPERIENCE OF RECENT YEARS LEADS TO INESCAPABLE CONCLUSION THAT LASTING STABLE SYSTEM OF GOVERNMENT CANNOT BE ACHIEVED UNLESS THERE IS GENUINE AND WIDESPREAD PARTICIPATION IN IT. SECOND PART OF THE PAPER DEALS WITH THE PRESENT STRUCTURE OF GOVERNMENT IN NORTHERN IRELAND. IT GIVES GENERAL OUTLINE OF THE PRESENT CONSTITUTION BASED ON NORTHERN IRELAND CONSTITUTION ACT 1973 AND WHICH UNCLASSIFIED

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EXCEPT FOR SUSPENSION REGIONAL ASSEMBLY AND ADMINISTRATION

REMAINS IN EFFECT, THIRD PART OF PAPER DEALS WITH PATTERNS OF FUTURE GOVERNMENT AND DISCUSSES VARIOUS FORMS LEGISLATIVE OR CONSTITUTIONAL PROTECTION. FOR EXAMPLE THERE COULD BE A "WEIGHTED" MAJORITY SYSTEM OF VOTING IN THE LEGISLATURE, AS OPPOSED TO A SIMPLE MAJORITY SYSTEM. ANOTHER VERSION OF AN ENTRENCHED SAFEGUARD IS CONCEPT OF "BLOCKING MECHANISM" WHICH ENABLES A PARTICULAR SECTION OF COMMUNITY TO PREVENT, OR DELAY, LEGISLATION WHICH IT CONSIDERS BE AGAINST ITS VITAL INTEREST. SUCH A SYSTEM IS PART OF THE BELGIAN CONSTITUTION. PAPER ALSO REFERS TO CERTAIN CONSTITUTIONS WHERE THERE IS SPECIAL REPRESENTATION MINORITY PARTIES IN LEGISLATURE AND QUOTES ELECTORAL METHODS USED IN FIJI, NEW ZEALAND AND MAURITIUS. IT ALSO REFERS TO BELGIUM AND SWITZERLAND WHICH HAVE SECOND CHAMBERS THAT GIVE PARTICULAR WEIGHT TO DISTINCTIVE GROUPS. FINALLY, DISCUSSION PAPER POINT OUT THERE ARE TWO PRINCIPAL WAYS IN WHICH PARTICIPATION IN EXECUTIVE GOVERNMENT MIGHT BE ACHIEVED, I.E. MINISTERIAL SYSTEM OR EXECUTIVE COMMITTEE SYSTEM (NOT RPT NOT A CONSULTATION COMMITTEE SYSTEM). THE ESSENCE OF A MINISTERIAL SYSTEM IS THAT EACH DEPARTMENT OF GOVERNMENT HAS A SINGLE POLITICAL HEAD AND THAT THOSE HEADS COLLECTIVELY FORM AN ADMINISTRATION WHICH CO-ORDINATES THE GOVERNMENT AS A WHOLE. THE PAPER SUGGESTS SOME POSSIBILITIES WHICH COULD MAKE A MINISTERIAL SYSTEM FEASIBLE AND GIVES EXAMPLES OF THOSE LAID DOWN IN OTHER CONSTITUTIONS. GOVERNMENT BY EXECUTIVE COMMITTEES MEANS INSTEAD OF GOVERNMENT DEPARTMENT HAVING SINGLE INDIVIDUAL AS POLITICAL HEAD IT WOULD OPERATE UNDER DIRECTION AND CONTROL OF A COMMITTEE. SUCH COMMITTEES, COMPOSED OF MEMBERS OF THE LEGISLATURE, WOULD MEAN MORE WIDESPREAD PARTICIPATION AND COULD SOFTEN DIVISIONS BETWEEN THOSE WHO ARE OTHERWISE EXERCISING POWER AND THOSE WHO WERE NOT. COMPLETE TEXT FOLLOWS BY AIRGRAM.

2. EARLY REACTIONS FROM MODERATES GENERALLY FAVORABLE. ALLIANCE PARTY AND UNIONIST PARTY NORTHERN IRELAND (FAULKNER) EXPRESSED AGREEMENT WITH PAPER THAT SHARING RESPONSIBILITY ESSENTIAL FOR STABILITY NORTHERN IRELAND. JOHN HUME SOCIAL DEMOCRATIC AND LABOUR PARTY AGREED WITH REVEREND IAN PAISLEY THAT PAPER SOMEWHAT IRRELEVANT TO CONDITIONS NORTHERN IRELAND BUT WELCOMED OFFICIAL REITERATION OF NECESSITY ANY GOVERNMENT OBTAIN BROAD SUPPORT. PAISLEY STATED HE WOULD NOT RPT NOT SEEK UNCLASSIFIED

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AGREEMENT WITH ANY PERSON OR GROUP THAT DID NOT RPT NOT SUPPORT GOVERNMENT BODIES SUCH AS POLICE AND WHOSE FIRST ALLEGIANCE WAS TO CONCEPT UNITED IRELAND. OFFICIAL UNIONIST SPOKESMAN LESS COLORFUL BUT AGREED IN SUBSTANCE WITH PAISLEY. REPUBLICAN CLUBS REJECTED PAPER COMPLETELY. PARAMILITARIES AND OTHERS STILL SILENT.

3. THERE UNOFFICIAL CONSENSUS THAT ONE THING PAPER DOES CLEARLY

IS PRECLUDE EMERGENCE OLD-STYLE MAJORITY RULE IN ULSTER.SPICER

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